

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 04-10066-MEL
	)	
JAMIE EDELKIND,	)	
defendant.	)	
_____	)	

UNITED STATES' MOTION FOR AN ORDER TO DESTROY FIREARMS

This motion seeks an Order to destroy firearms owned by defendant Jamie Edelkind, which were found during the execution of a search warrant at a self-storage locker leased by an individual who placed those firearms in that self-storage locker at Edelkind's direction.

On March 3, 2005, officers of the Federal Bureau of Investigation executed a search warrant for the premises known as Castle Self Storage, Unit 1191, 669 Bridge Street, North Weymouth, Massachusetts.

In executing that warrant, the officers recovered various items as identified in the warrant, including two pistols, identified as follows:

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|--|--|
| (a) Manufacturer: Beretta, Pietro S.A. | (b) Manufacturer: Beretta, Pietro S.A. |
| Caliber: 40                            | Caliber: 380                           |
| Serial Number: A04366M                 | Serial Number: G08699Y                 |
| Type: Pistol                           | Type: Pistol                           |
| Importer: Beretta USA Corporation      | Importer: Beretta USA Corporation      |

Both pistols were seized as evidence, fruits and instrumentalities of the crime of possession of a firearm by a convicted felon in violation of 18 U.S.C. § 922(g)(1).

The pistols remain in the custody of the FBI.

Following the seizure of the pistols, Special Agent Kenneth Benton of the FBI conducted a trace check of the firearms. Special Agent Benton determined that both pistols had been purchased (one in 1992, the other in 1996) by Defendant Jamie Edelkind,.

At the time the pistols were seized Edelkind was a convicted felon <sup>1</sup> and, as such, was not permitted to possess a firearm. 18 U.S.C. § 922(g)(1). He has subsequently been convicted, in the above-captioned case, of four additional felonies.

WHEREAS the last known owner of the firearms is ineligible to own or possess them, and there being no legitimate owner, the United States respectfully requests the Court to Order the FBI to destroy the two pistols which were seized from Castle Self Storage, Unit #1191.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

dated: February 1, 2006

By: /s/Paul G. Levenson  
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<sup>1</sup> On May 6, 2004, Edelkind plead guilty in the Northern District of Georgia to U.S. v. Edelkind, 1:03-CR-364-CAP, to a charge of bank fraud in violation of 18 U.S.C. §1344. Violation of 18 U.S.C. §1344 is a crime punishable by imprisonment for a term exceeding one year.

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non registered participants on this date.

dated: February 1, 2006

/s/ Paul G. Levenson  
PAUL G. LEVENSON